



Hydromodification Control & Low Impact Development Implementation Charette Materials

Q&A

Questions & Answers On the Joint Effort for Hydromodification Control

Summary

The Central Coast Regional Water Quality Control Board (Water Board) is providing municipalities the option of forming and participating in a Joint Effort, led by a consultant team, to develop hydromodification control criteria to meet the Water Board's stormwater regulations for new and redevelopment. This document is one resource intended to supplement information provided by the Water Board regarding the development of hydromodification criteria through the Joint Effort.

Questions about the Joint Effort

What is the Joint Effort for Hydromodification Control?

The Joint Effort for Hydromodification Control is an effort to 1) create a methodology for developing hydromodification control criteria, 2) derive criteria by applying the methodology, and 3) support implementation of the resulting criteria throughout the Central Coast for new and redevelopment projects. The effort includes oversight by the Water Board; a team of subject area experts to execute the scope of work; and participating municipalities.

This project is a key step in the Central Coast Water Board's progressive, stepwise process to achieve healthy watersheds, and similarly, the State Board's goals in its Strategic Plan for statewide healthy watersheds.

How is "Joint Effort" defined?

Water Board staff suggests the Joint Effort be one joined by sufficient numbers of dischargers to achieve economies of scale for those involved, and regional in scale, preferably encompassing whole watersheds. State funding is available for a single effort that will encompass all municipalities throughout the Central Coast who choose to participate. The funding only covers the first phase of hydromodification criteria development (methodology development and watershed characterizations).

Why is the Joint Effort for Hydromodification Control being put forward?

While there are various efforts statewide to develop hydromodification control criteria, the focus has generally been on the large Phase I communities. Compared to the Phase I communities, many Phase II communities are small, have fewer resources, and possess less in-house expertise to develop and implement hydromodification controls. By participating in a joint effort led by subject area experts, municipalities will be assisted in moving forward in a timely fashion toward optimal water quality protection; avoiding the challenges of “going it on their own.” The benefits that can be achieved through the Joint Effort include:

- Leveraging municipal and Water Board resources.
- Using an approach that takes the subject of hydromodification control from a parcel-based approach to a broader watershed-based approach.
- Increasing regional coordination on stormwater management.
- Focusing on reasonable, scientifically based techniques with clear outcomes.
- Incorporating related management issues such as water supply, groundwater recharge, energy consumption, and climate change.
- Improving communication and coordination among the Water Boards and municipalities for greater consistency statewide in the stormwater program.
- Improving consistency across the region in the development and implementation of hydromodification control criteria.
- Implementing a critical step in achieving watershed level protection through a well-developed and coordinated approach.

The Joint Effort is a strategic, cost-efficient way for municipalities to integrate hydromodification control principles into their stormwater programs.

What is the Scope of Work for the Joint Effort?

The consultant team, with oversight from the Water Board, will implement the currently funded Scope of Work (SOW) for Phase 1 of the Joint Effort. Phase 1 will develop a science-based methodology that municipalities on the Central Coast and across the State can use to determine their own specific hydromodification control criteria. For Central Coast municipalities participating in the Joint Effort, Phase 1 will also prepare the preliminary engineering and geomorphologic analyses required to determine their landscape-specific hydromodification controls.

Phase 2 of the effort includes the technical and modeling analysis required to determine the actual hydromodification control criteria. Municipalities can then propose these resulting hydromodification control criteria to the Central Coast Water Board to meet the requirements of their NPDES Municipal Stormwater Permit.

Please refer to the Charette materials documents entitled “Fact Sheet: Scope of Work for Joint Effort” for a summary of the Phase 1 SOW; and, “Hydromodification Criteria Methodology Proposal (June 26, 2009)” for a more comprehensive description of other phases of the effort to develop hydromodification control, at the this link: <http://www.waterboards.ca.gov/centralcoast/>

Who will implement the Scope of Work?

Under oversight by Water Board staff, a consultant team will direct and implement the development of a methodology for hydromodification criteria, and compilation of data and information to implement the methodology. Participating municipalities will be expected to provide in-kind labor by supporting the consultant team in their information and data needs.

What are the project deliverables?

This project will create the necessary scientific/engineering foundation that municipalities must have for stormwater permit compliance, and thereby provide the critical tool and conduct the basic analysis needed for clear, science-based stormwater control criteria. Specific deliverables from the scope of work for the \$600K Cleanup and Abatement Account funds will benefit both regional and state stormwater programs and include:

- *Regional Scale:* Hydromodification control methodology and preliminary engineering analysis for participating municipalities in the Central Coast Region. This product will assist the Central Coast Phase II municipalities to incorporate hydromodification criteria into their stormwater management plans and to utilize LID design principles to achieve those criteria.
- *Statewide Scale:* Development guidelines that will assist the State and other Regional Water Boards in directing Phase II entities to develop scientifically sound and understandable hydromodification criteria.
- *Statewide Scale:* A “white paper” report providing the foundation for the development of cap-and-trade tools necessary to evaluate the impact of hydromodification management controls to achieve real, quantifiable, and cost-effective environmental benefits (e.g., improved surface water quality, water supply replenishment, and reductions of greenhouse gases).

Will participating municipalities end up with identical hydromodification criteria?

This project will include a review of, and build on, work already done by some municipalities, such as City of Santa Maria, Contra Costa County, and San Diego County. The consultant and municipalities will derive local hydromodification criteria from local climatic and landscape conditions, including field verification. This effort will provide the critical tool (i.e., hydromodification control methodology) and conduct the basic analysis needed to develop clear, science-based stormwater control criteria. The methodology employed to determine the hydromodification criteria will be applied consistently throughout the region. However, the actual resulting criteria will be influenced by local landscape conditions. That stated, it is assumed that similarities as well as differences exist among the various MS4s and that it is possible that municipalities may end up with hydromodification criteria similar to those of other Central Coast Region municipalities.

If my city chooses not to participate in the Joint Effort, will it be at a disadvantage in complying with the General Permit requirements for hydromodification control?

Municipalities may choose to follow the options for developing and implementing hydromodification criteria indicated in their Storm Water Management Plans. Municipalities choosing to pursue these existing options may be at a disadvantage in getting the necessary resources and expertise required to complete the work, and may be challenged to meet the schedule of the existing requirements for Interim and Long-term hydromodification control criteria.

Questions about Funding

How is this work being funded?

The estimated total cost to develop Hydromodification Control Criteria for all Central Coast Phase II communities through the Joint Effort is estimated to be between \$1.5 and \$2 million. The State Water Board Cleanup and Abatement Account funds provide \$600K of that total amount. Additionally, participating municipalities will be expected to provide in-kind labor by supporting the consultant team in their information and data needs.

What are plans for securing the remaining budget (\$900K – \$1.4 million)?

The Central Coast Water Board will be seeking additional funding including Central Coast Water Board Settlement Funds, American Recovery and Investment Act dollars, and direct contributions from participating municipalities. The Water Board will also support municipalities seeking Proposition 84 Stormwater Funds should these funds become available.

What happens if additional funding is not obtained?

If additional funding is not obtained, the work done under the first phase will provide a vital foundation for municipalities to do the remaining work on their own or in collaboration to comply with the Central Coast Water Board's hydromodification requirements. This initial effort will provide the necessary foundation for any Water Board or municipality to determine appropriate hydromodification control criteria, regardless of additional funding. That is, the results of this work will be readily useable by others to take these concepts and establish their own locally specific criteria for their developers to use in designing projects and for the municipalities to use in approving projects.

Questions about the Schedule

What is the schedule for Phase 1 of the Joint Effort?

Once a consultant contract has been established, Phase 1 of the Joint Effort is projected to be completed in approximately 1 year.

What is the schedule for the entire effort?

2 years.

When does the two-year period begin?

A date will be established by the Water Board that indicates the beginning of the two-year schedule for the Joint Effort. Municipalities who wish to participate in the Joint Effort will be required to meet participation requirements (see section below regarding participation) by that date.

How will the Water Board address compliance schedules that do not currently match the schedule of the Joint Effort?

The Water Board will adjust schedules as necessary to facilitate participation in the Joint Effort. Most importantly, the schedule for development of interim criteria will be replaced by the two-year schedule for development of criteria through the Joint Effort. Project Milestones will be BMPs designed to augment or replace existing Storm Water Management Plan BMPs.

Questions about Roles and Participation in the Joint Effort

What do I need to do to formally participate in the Joint Effort?

The Water Board will develop a process to establish participation by municipalities that will include key steps, possible including having the municipalities: 1) request participation in the Joint Effort, 2) agree to provide the consultant team with information and data as appropriate (i.e., existing data and information), and 3) commit to meeting project milestones and reporting requirements through amendments to BMPs in their SWMPs.

What is the role of Water Board staff throughout this effort?

The Water Board is funding the first phase, and will provide oversight of the Joint Effort. Water Board staff will be working closely with the consultant team to ensure that the approach and information being developed is consistent with Water Board expectations for the development of hydromodification control criteria.

What is the role of participating municipalities? Are they expected to provide resources?

Municipalities are not expected to provide direct financial contributions for Phase 1, but are expected to provide in-kind labor in support of the consultant team and adequate resources to meet other requirements of participation, including Project Milestones. In terms of the Scope of Work (SOW) for the technical analysis, the consultant will be responsible for executing the SOW. However, the participating municipality plays a support role to the consultant by: 1) providing existing data and information needed to execute the SOW (e.g. precipitation records), and 2) providing review and comment on interim deliverables, as requested. If a municipality wishes the consultant to conduct additional technical analysis related to hydromodification control, a separate contract mechanism must be sought.

How and to what degree are municipalities and other stakeholders going to have the opportunity to provide input?

Water Board staff are currently developing the stakeholder process. Municipalities and other entities will have various opportunities to provide input related to the Joint Effort. These stakeholder opportunities include, but are not limited to:

- Meetings hosted by the Water Board (e.g., August 27, September 3 & 8, 2009 Charettes)
- Water Board public meetings
- Statewide stakeholder input as defined by the State Board

Additionally, the consultant will be meeting with participating municipalities to describe the scope of work. During those meetings, municipalities will have the opportunity to provide their input related to the scope. The consultant will also be meeting individually with participating municipalities to better understand the specific issues that will influence the scope and development of the hydromodification control criteria.

What is the role of the Central Coast LID Center?

The CCLID Center (Center) was established to provide Central Coast municipalities with hydromodification management and LID support. The Center assisted in the development of proposals to obtain funding for the Joint Effort and worked with municipalities to describe and promote the benefits of a Joint Effort for Hydromodification Control. The Center will continue to be involved in the Joint Effort.

Has the consultant team been selected and if not, what will be the selection process?

A consultant(s) has not been contracted for the Joint Effort. Water Board staff are currently working with the State Board to implement the consultant hiring process.

Other Questions

I have heard that this work is intended to provide statewide benefit to the MS4 community – what does that mean?

This work will serve as a model for other regions around the State. Additionally, this work intentionally overlaps and coordinates with State Water Resources Control Board (State Board) staff's work to develop a statewide hydromodification control methodology, criteria, policy, and permit requirements, and will provide consistency among the Water Boards. The methodology developed as part of the Joint Effort to determine hydromodification control criteria will assist State and Regional Boards in directing municipalities how to successfully develop scientifically sound and understandable hydromodification criteria. Additionally, the consultant will write a report, to be submitted to the State Board, that provides the foundation for the development of cap-and-trade tools necessary to evaluate the impact of hydromodification management controls to achieve real, quantifiable, and cost-effective environmental benefits (e.g., improved surface water quality, water supply replenishment, and reductions of greenhouse gases).

How do I know that the criteria and associated technical justification submitted to the Water Board as a result of this effort will be approved?

Water Board staff cannot guarantee that the criteria and technical justification resulting from the Joint Effort will be approved. However, Water Board staff is committed to working with the consultant and participating municipalities to maximize the likelihood that products resulting from the Joint Effort will meet the Phase II Municipal Stormwater NPDES requirements related to hydromodification control for new and redevelopment.

How do the milestones referenced in the Water Board's August 4 letter relate to the Joint Effort?

As indicated in the Water Board's August 4, 2009 letter, Project Milestones will serve to ensure that the development and implementation of hydromodification control criteria for new and redevelopment remains on schedule. These milestones will be assigned to participating municipalities as a condition of participation and in general will not relate to the technical scope of work associated with the development of the hydromodification control criteria (i.e., consultant scope of work). Generally, the milestones will relate to the implementation of hydromodification control criteria (e.g., review and revision of existing codes for stormwater control).